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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/781,925	02/12/2001	Karen Capers	01 P 7466 US	1795

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EXAMINER

PARK, ILWOO

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/781,925	<b>Applicant(s)</b> CAPERS ET AL.	
	<b>Examiner</b> Ilwoo Park	<b>Art Unit</b> 2182	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 August 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 and 21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 and 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/29/06</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-19 and 21 are presented for examination.

#### ***Response to Arguments***

2. Applicant's arguments filed 8/10/2006 have been fully considered but they are not persuasive. In the Remarks, Applicant argues in substance that (a) Kim fails to explicitly disclose step of 'automatically determining that one or more network elements are to be included in the integrated communication server based on the result set' and (b) Kim fails to disclose step of 'automatically determining configuration parameters for the one or more network elements based on the result set'. For the point (a), Kim clearly teaches 'automatically determining that one or more network elements [e.g., email accounts, memory, or desired servers are determined and included in order to change appropriate tables in paragraph 0038 for the user request of adding or deleting email accounts in paragraph 0037, memory allocation change in paragraph 0037, adding real media service in paragraph 0008, etc.] are to be included in the integrated communication server [web hosting service provider] based on the result set'; for example, a user requests a new service, such as a real media service or a new email service [paragraphs 0008, 0037]; the web hosting service provider determines and includes one or more network elements, such as a media server, mail server, or email accounts for the user requesting the new service which had not originally contracted based on the control panel routed to the user and the modified parameter communicated to the server manager [paragraph 0038]. For the point (b), Kim clearly teaches 'automatically determining [determining if there is sufficient memory available in

paragraph 0041] configuration parameters [server configuration settings or instructions in paragraphs 0040, 0041] for the one or more network elements [e.g., desired servers] based on the result set'.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-19 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Kim et al., US patent application publication No. 2002/0069272 A1.

As to claim 1, Kim et al teach a method for providing an integrated communication server [web hosting service provider], comprising:

receiving a selection of at least one service option [e.g., requesting content or desired network resource in paragraph 0029; selecting a web server configuration application program in paragraph 0037];

receiving capacity information [e.g., memory space in paragraph 0033; requesting the amount of memory in paragraph 0037] for at least one type of subscriber;

automatically [paragraph 0035] applying [e.g., determining through a set of criteria or business rules' in paragraph 0036; checking the parameter whether or not to allow to modify in paragraph 0038] a specified set of rules to produce a result set [e.g.,

control panel of fig. 3 shown to only the allowed user not others; modified/updated parameter communicated to the server manager for the tables] based on the service option selection and the capacity information;

automatically determining [determining which servers to synchronize with the updated database reflecting the user request in paragraph 0039; selecting a new server without further user input in paragraph 0054] that one or more network elements [e.g., desired server or plurality of servers in paragraph 0040] are to be included in the integrated communication server based [evaluating the modified parameter and determining which tables are required to be updated in paragraph 0038] on the results set; and

automatically determining [determining if there is sufficient memory available in paragraph 0041] configuration parameters [server configuration settings or instructions in paragraphs 0040, 0041] for the one or more network elements [e.g., desired servers] based on the result set.

5. As to claims 2, 9, and 16, Kim et al teach receiving provisioning information [e.g., user specifying the desired memory space in paragraph 0033; server accepting instructions at step 76 in fig. 6 and paragraph 0041] based on the result set and provisioning [reconfiguring at step 88 in fig. 6 and paragraph 0041] each of the network elements based on the provisioning information.

6. As to claims 3 and 10, Kim et al teach registering each of the network elements when the network elements are provisioned successfully [paragraphs 0043, 0054].

7. As to claims 4 and 11, Kim et al teach storing the provisioning information [updating the tables in the database with the modified parameters].

8. As to claims 5 and 12, Kim et al teach storing the result set [updating the tables in the database with the modified parameters].

9. As to claims 6 and 13, Kim et al teach automatically locating the network elements at a location remote from the integrated communicating server and automatically downloading the network elements from the remote location [paragraphs 0034, 0054, 0055].

10. As to claims 7 and 14, Kim et al teach receiving authentication information from an operator; determining whether the operator is authenticated based on the authentication information; presenting management options when the operator is authenticated, the management options comprising network element provisioning; and receiving a selection of network element provisioning [paragraphs 0036-0038].

11. As to claim 8, Kim et al teach a system for providing an integrated communication server [web hosting service provider], comprising:

a computer-processable medium; and

logic stored on the computer-processable medium, the logic operable to receive a selection of at least one service option [e.g., requesting content or desired network resource in paragraph 0029; selecting a web server configuration application program in paragraph 0037], to receive capacity information [e.g., memory space in paragraph 0033; requesting the amount of memory in paragraph 0037] for at least one type of subscriber, to apply [e.g., determining through a set of criteria or business rules' in

paragraph 0036; checking the parameter whether or not to allow to modify in paragraph 0038] a specified set of rules to produce a result set [e.g., control panel of fig. 3 shown to only the allowed user not others; modified/updated parameter communicated to the server manager for the tables] based on the service option selection and the capacity information, determine [determining which servers to synchronize with the updated database reflecting the user request in paragraph 0039; selecting a new server without further user input in paragraph 0054] that one or more network elements [e.g., desired server or plurality of servers in paragraph 0040] are to be included in the integrated communication server based [evaluating the modified parameter and determining which tables are required to be updated in paragraph 0038] on the result set, and to determine [determining if there is sufficient memory available in paragraph 0041] configuration parameters [server configuration settings or instructions in paragraphs 0040, 0041] for one or more network elements [e.g., desired servers] based on the result set.

12. As to claim 15, Kim et al teach a service engine for providing an integrated communication server (ICS) [web hosting service provider], comprising a rule engine operable to receive service [e.g., requesting content or desired network resource in paragraph 0029; selecting a web server configuration application program in paragraph 0037] and capacity information [e.g., memory space in paragraph 0033; requesting the amount of memory in paragraph 0037], to determine [determining which servers to synchronize with the updated database reflecting the user request in paragraph 0039; selecting a new server without further user input in paragraph 0054] which of a plurality of network elements [e.g., desired server or plurality of servers in paragraph 0040] to

include in the ICS based on the service and capacity information, to determine [instructing servers to update their configuration settings in paragraph 0040; determining if there is sufficient memory available in paragraph 0041] configuration parameters for one or more network elements based on a result set [e.g., control panel of fig. 3 shown to only the allowed user not others; modified/updated parameter communicated to the server manager for the tables], to locate [paragraphs 0034, 0054, 0055] the one or more network elements at a location remote from the ICS, and download the network elements from the remote location to a central server associated with the service engine.

13. As to claim 17, Kim et al teach a repository operable to provide persistent data storage for the service engine; and data services operable to receive requests for data stored in the repository and to locate and retrieve the data from the repository and operable to receive data for storage in the service engine and to store the data in the repository [paragraph 0011].

14. As to claim 18, Kim et al teach the repository operable to store the provisioning information and the result data [figs. 9-12].

15. As to claim 19, Kim et al teach a master agent operable to maintain a list of registered network elements for the ICS, each of the network elements operable to be registered with the master agent when the network element is provisioned successfully [paragraphs 0043, 0054].

16. As to claim 21, Kim et al teach a method for providing an integrated communication server, comprising:



receiving [paragraph 0032] authentication information from an operator;

determining [paragraph 0036] whether the operator is authenticated based on the authentication information;

presenting [paragraph 0037] management options when the operator is authenticated, the management options comprising network element provisioning;

receiving [selecting a web server configuration application program in paragraph 0037] a selection of network element provisioning;

receiving [e.g., requesting content or desired network resource in paragraph 0029] a selection of at least one service option;

receiving [e.g., requesting the amount of memory in paragraph 0037] capacity information for at least one type of subscriber;

automatically applying [e.g., determining through a set of criteria or business rules' in paragraph 0036; checking the parameter whether or not to allow to modify in paragraph 0038] a specified set of rules to produce a result set [e.g., control panel of fig. 3 shown to only the allowed user not others; modified/updated parameter communicated to the server manager for the tables] based on the service option and the capacity information;

automatically determining [determining if there is sufficient memory available in paragraph 0041] configuration parameters for one or more network elements based on the result set by locating the network elements at a location remote from the integrated communication server and downloading the network elements from the remote location [paragraphs 0034, 0054, 0055];

receiving [e.g., user specifying the desired memory space in paragraph 0033; server accepting instructions at step 76 in fig. 6 and paragraph 0041] provisioning information based on the results set;

automatically provisioning [reconfiguring at step 88 in fig. 6 and paragraph 0041] each of the network elements based on the provisioning information;

automatically registering [paragraphs 0043, 0054] each of the network elements when the network element is provisioned successfully; and

automatically storing [figs. 9-12] the provisioning information and the result set.

### ***Conclusion***

17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ilwoo Park whose telephone number is (571) 272-4155. The examiner can normally be reached on Monday through Friday from 9:00 AM to 5:30

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PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ILWOO PARK  
PRIMARY EXAMINER



Ilwoo Park

October 10, 2006